

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Tommy James Banks,

Plaintiff,

–v–

Commissioner of Social Security,

Defendant.

19-cv-929 (AJN)

OPINION & ORDER

ALISON J. NATHAN, District Judge:

Before the Court is Judge Aaron’s Report & Recommendation recommending that the Court grant the Defendant’s unopposed motion for judgment on the pleadings under Rule 12(c).

See Dkt. No. 21.

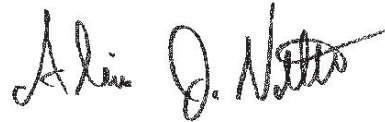
When considering the findings and recommendations of a Magistrate Judge, the Court may “accept, reject, or modify [them], in whole or in part.” 28 U.S.C. § 636(b)(1). The Court must make a de novo determination of any portions of a magistrate’s report or findings to which a party raises an objection, and reviews only for “clear error on the face of the record” when there are no objections to the R & R. *Brennan v. Colvin*, No. 13-cv-6338 (AJN), 2015 WL 1402204, at *1 (S.D.N.Y. Mar. 25, 2015); *see also Hicks v. Ercole*, No. 09-cv-2531 (AJN) (MHD), 2015 WL 1266800, at *1 (S.D.N.Y. Mar. 18, 2015); *Gomez v. Brown*, 655 F.Supp.2d 332, 341 (S.D.N.Y. 2009). Clear error is found only when, upon review of the entire record, the Court is left with “the definite and firm conviction that a mistake has been committed.” *Laster v. Mancini*, No. 07-CV-8265 (DAB) (MHD), 2013 WL 5405468, at *2 (S.D.N.Y. Sept. 25, 2013) (quoting *United States v. Snow*, 462 F.3d 55, 72 (2d Cir. 2006)).

Objections to Judge Aaron's R & R were due by March 17, 2017. *See* Dkt. No. 21 at 22. As of May 27, 2020, no objections have been filed. The Court thus reviews the R & R for clear error, and finds none. The Court therefore adopts the R & R in its entirety and GRANTS Defendant's motion to judgment on the pleadings for the reasons provided in Judge Aaron's Report and Recommendation. The Clerk of Court is respectfully ordered to close this case.

The Court will mail a copy of this Opinion to the *pro se* Plaintiff, and that mailing will be noted on the public docket.

SO ORDERED.

Dated: May 27, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", is written over a horizontal line.

ALISON J. NATHAN
United States District Judge